IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

MONDAY, THE 9TH APRIL 2007 / 19TH CHAITHRA 1929

WP(C).No. 8173 of 2007(W)

PETITIONERS:

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1. ABDUL RASAK, AGED 60 YEARS,
   S/O. MUHAMMED ABDUL KHADER, RESIDING AT
   T.C.45/596(C), VALLAKKADAVU, BEEMAPALLI,
   THIRUVANANTHAPURAM.

2. SRI.ABDUL HAKKIM, T.C. 46/728,
   POONTHURA P.O., THIRUVANANTHAPURAM.

3. HASSAN KHAN, T.C.45/823,
   NEAR UPPER PRIMARY SCHOOL, BEEMNAPALLI,
   VALLAKADAVU, THIRUVANANTHAPURAM.

BY ADV. SRI.M.RAMESH CHANDER

RESPONDENTS:

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1. STATE OF KERALA,
   REPRESENTED BY ITS CHIEF SECRETARY, SECRETARIAT,
   THIRUVANANTHAPURAM.

2. SUB REGISTRAR, CHALAI,
   SUB DISTRICT, THIRUVANANTHAPURAM.

3. RECOVERY OFFICER,
   DEBTS RECOVERY TRIBUNAL, ERNAKULAM.

BY GOVERNMENT PLEADER SMT.N.SUDHADEVI.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX:

PETITIONER'S EXHIBITS:

EXT.P1- PHOTOSTAT COPY OF THE CERTIFICATE OF SALE OF IMMOVABLE PROPERTY IN FAVOUR OF THE PETITIONERS.

EXT.P2- A TRUE COPY OF the COVERING LETTER DATED 26-2-2007 ISSUED OT THE FIRST RESPONDENT.

EXT.P3- A TRUE COPY OF THE JUDGMENT OF THIS HON'BLE COURT IN WA.NO.1086 OF 2006.

EXT,.P4-TRUE COPY OF the JUDGMENT IN WPC 11033 OF 2006 DATED 3-10-2006.

K.BALAKRISHNAN NAIR, J.

W.P.(C).No.8173 of 2007-W

Dated this the 9th day of April, 2007

JUDGMENT

The learned Government Pleader points out that the petitioner has to pay the stamp duty as directed by this Court in W.P.(C) 29240 of 2006. The learned counsel for the petitioner opposes such contention of the learned Government Pleader and points out that it is not mandatory to produce necessary stamp paper applicable to ordinary sales.

2. I went through the judgment of this Court in W.P.(C).29240 of 2006. I am in respectful agreement with the said judgment. Therefore, it is ordered that the direction in the said judgment concerning production of stamp paper shall also be complied with, by the petitioner.

The Writ Petition is disposed of as above.

K.BALAKRISHNAN NAIR, JUDGE.

MS